

March 11, 1974

if you adopt the amendment because Senator Schmit is going to Washington to appear before a congressional committee on the livestock. As I understand it, if he could go back to say to the committee on the national level, this is what the State of Nebraska has done to help us do on the local level what we can't do by any other method. It might be helpful and it might accelerate other states to do the same thing where the same condition might exist.

SENATOR KELLY: I've checked with the Attorney General and he's referred me back to Dr. Rogers office and this is taken almost word by word out of the Illinois law. And it seems to be working there. But so far this business or this question of a business buying another business, the Attorney General would not answer. I'm going to attempt to get an answer from Dr. Rogers.

SENATOR CARPENTER: Okay.

PRESIDENT: The Chair recognizes Senator Fellman. We're discussing Senator Carpenter's amendment to LB1028.

SENATOR FELLMAN: Will Senator Carpenter yield?

PRESIDENT: Senator Carpenter yield?

SENATOR FELLMAN: Senator, does this...do these acts that are declared unlawful, do these square with, are these similar with the federal provisions?

SENATOR CARPENTER: They're quite similar in my judgment and that was the intent in order to do it.

SENATOR FELLMAN: Were they...were they drawn with the intention of being similar or being identical to the federal law?

SENATOR CARPENTER: Well, I presume they were drawn...my original intent was to be identical. From reading, I presume they're similar.

SENATOR FELLMAN: Is there a reason, there is no trouble damage provision in here, is there?

SENATOR CARPENTER: You can't do that on a state level insofar as the individual is concerned. The state can.... as I understand it, can attempt.....

(End of Belt 2A)

(Begin Belt 3A)

to collect triple damage but the individual on his own go into the court cannot do that according to our Nebraska constitution. That's what I've been told.

SENATOR FELLMAN: I think that's correct.

SENATOR CARPENTER: And that's the reason it's been exempted.

SENATOR FELLMAN: I understand that. Thank you. That's all.